

# Exhibit 128

J. Silva Ex. 16 (ZFL-1012702)

**REDACTED**

To: Lorenzo Fertitta [lfernitta@ufc.com]; D F. W[dfw@ufc.com]  
From: Joe Silva  
Sent: Wed 12/26/2012 6:03:43 PM  
Importance: Normal  
Subject: Gilbert Melendez  
Received: Wed 12/26/2012 6:03:46 PM

He received his medical clearance on Monday clearing the way for a unification match against Benson Henderson April 20 on Fox in San Jose.

Melendez is from California and will be a draw in San Jose.

If you look at Sherdog's rankings below you will see he is the highest ranked contender available since Frankie Edgar is dropping down to 145.

Eddie Alvarez is not ranked in the top ten and even the guy who tapped him out comes in at number ten.

Hector Lombard was Bellator champion and did not get a title shot and Alvarez is not even the champion so it would make zero sense to give him a shot.

Also if you gave Alvarez the shot and Henderson slipped on a banana peel and lost you will have given Bellator the greatest Christmas present of all:

Bellator's champ would jump from number ten to number one.

Even just giving their former champion an immediate title shot puts Bellator on a level they don't deserve.

I believe we should do Henderson vs Melendez and if we end up with Alvarez have Alvarez fight Gray Maynard.

If he can beat Maynard he can have a title shot.

Just my take on the situation.

Joe

Lightweight

1. **Benson Henderson** (18-2) If the close, competitive nature of his bouts with Frankie Edgar had folks questioning Ben Henderson's lightweight stature, "Smooth" straightened things out in Seattle. In the biggest fight of his career on primetime network television, Henderson dominated challenger Nate Diaz for 25 minutes, in entertaining fashion no less, to affirm his 155-pound dominance.

2. **Frankie Edgar** (14-3-1) Edgar's 145-pound debut was delayed when injuries from a motorcycle accident forced reigning featherweight champion Jose Aldo out of their UFC 153 scrap. Assuming both parties stay healthy, the highly anticipated confrontation will now take place on Super Bowl weekend in the UFC 156 headliner.

3. **Gilbert Melendez** (21-2) Melendez's Strikeforce title defense against Pat Healy was rescheduled for Jan. 12, but the champion was still rehabilitating his knee. With that bout canceled, Melendez can take the time to get healthy before eventually making his long-awaited transition to the UFC, where a title shot might not be far from the talented Cesar Gracie product.

4. **Gray Maynard** (11-1-1, 1 NC) Maynard re-established himself as a 155-pound contender with a somewhat frustrating victory over Clay Guida in June. His road to a third UFC lightweight title shot hit an unexpected bump, however, when a [REDACTED] injury forced the Xtreme Couture representative to withdraw from a UFC 155 clash against Joe Lauzon.

5. **Nate Diaz** (16-8) Nate Diaz never stopped trying and never stopped fighting against Benson Henderson on Dec. 8, however, the Stockton, Calif., native just couldn't make offense happen. Diaz was thwarted by the champion's improved boxing, leg kicks and potent top game and effectively shut out on the scorecards in an entertaining five-round bout.

6. **Jim Miller** (21-4) After going more than two years between losses, the younger of New Jersey's fighting Miller brothers has dropped two of his last three starts. Miller will step in on short notice for the injured Gray Maynard and attempt to end his mini-slump against Joe Lauzon at UFC 155 on Dec. 29.

7. **Clay Guida** (29-13) After a solid run at 155 pounds in the UFC, Guida has elected to try his hand at featherweight. "The Carpenter" will not get to ease his way into the division, however, as he faces the world-ranked Hatsu Hioki at UFC on Fox 6 in Guida's hometown of Chicago.

8. **Anthony Pettis** (15-2) After a lengthy layoff due to a [REDACTED] injury, business is picking up for the flashy WEC veteran. Pettis has become a part owner of longtime training home Roufusport, and he will finally get the chance to settle his feud with Donald Cerrone on Jan. 26 at UFC on Fox 6.

9. **Donald Cerrone** (19-4, 1 NC) Cerrone had plenty of hostile words for Anthony Pettis as a shoulder injury kept "Showtime" on the shelf. The verbal sparring will end on Jan. 26, as Cerrone locks horns with Pettis at UFC on Fox 6 in a bout with No. 1 contender implications.

10. **Michael Chandler** (10-0) It's been over a year since his "Fight of the Year" breakout title win over Eddie Alvarez, but Michael Chandler's first Bellator title defense is nearly here. The unbeaten former Mizzou wrestler takes on once-beaten judo Olympian Rick Hawn at Bellator 85 on Jan. 17.

